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# TROUTMAN SANDERS

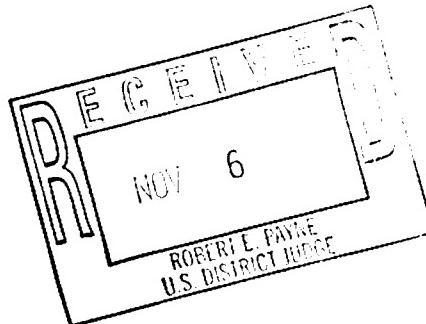
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November 26, 2012

*File*

## BY HAND

The Honorable Robert E. Payne  
United States District Court for the  
Eastern District of Virginia  
Federal Courthouse - Room 3000  
701 East Broad Street  
Richmond, Virginia 23219



**Re: ePlus, Inc. v. Lawson Software, Inc.  
Civil Action No. 3:09cv620**

Dear Judge Payne:

Attached are two copies of a unanimous decision of the United States Court of Appeals for the Federal Circuit, dated November 21, 2012, on Lawson Software, Inc.'s appeal from the judgment and injunction that followed the infringement trial in this matter. The Federal Circuit reversed as a matter of law the determination that the system claims are not indefinite (concerning claim 1 of the '172 patent and claim 3 of the '683 patent), and reversed in part the denial of JMOL resulting in a vacatur of the infringement judgment based on claims 28 and 29 of the '683 patent. The Court affirmed the judgment of infringement of method claim 26 of the '683 patent, denied Lawson's appeal as to the application of the Court's injunction against servicing and maintaining products sold before the injunction, and denied ePlus's cross-appeal regarding damages in its entirety. The Federal Circuit ordered a remand of the case for consideration of "what changes are required to the terms of the injunction" consistent with the opinion.

We look forward to addressing both the terms of the injunction and the impact of the enclosed opinion on the contempt proceedings following the issuance of the mandate by the Federal Circuit.

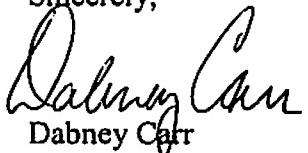
Finally, I note that the enclosed opinion does not moot ePlus's pending appeal to the Federal Circuit of the final decision of the Board of Patent Appeals and Interferences in *Ex Parte ePlus, Inc.*, Appeal No. 2010-007804 (BPAI March 26, 2012)(affirming invalidity of claims 26-45 of U.S. Patent No. 6,023,683). As previously noted, that appeal is in the process of being briefed, and no date has been set for oral argument.

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The Honorable Robert E. Payne  
November 26, 2012  
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With kind regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Dabney Carr".

Dabney Carr

Enclosure

cc: Counsel of Record (*by email*)